

State Water Resources Control Board

Division of Drinking Water

March 27, 2019

System No. 1700630

Terry Dolan, Board Member
Pier 1900 Homeowner's Association
1900 South Main Street, Space #13
Lakeport, CA 95453

CITATION NO. 02_03_19C_008
BACTERIOLOGICAL REPEAT MONITORING VIOLATION
FOR DECEMBER 2018

Enclosed is Citation No. 02_03_19C_008 (hereinafter Citation) issued to the Pier 1900 Homeowner's Association (hereinafter System) by the State Water Resources Control Board, Division of Drinking Water (hereinafter Division) for the failure to conduct repeat bacteriological monitoring. Please note that there are legally enforceable deadlines associated with this Citation.

The System will be billed at the State Water Resources Control Board's (hereinafter State Water Board) hourly rate for the time spent on issuing this Citation. The System will receive a bill sent from the State Water Board in August of the next fiscal year. California Health and Safety Code (hereinafter CHSC), Section 116577, provides that a public water system must reimburse the State Water Board for actual costs incurred by the State Water Board for specified enforcement actions, including but not limited to preparing, issuing, and monitoring compliance with a citation. At this time, the State Water Board has spent approximately 2 hours on enforcement activities associated with this violation.

Any person who is aggrieved by a citation, order, or decision issued under authority delegated to an officer or employee of the State Water Board under Article 8 (commencing with CHSC, Section 116625) or Article 9 (commencing with CHSC, Section 116650), of the Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4) may file a petition with the State Water Board for reconsideration of the citation, order, or decision.

Petitions must be received by the State Water Board within 30 days of the issuance of the citation, order, or decision by the officer or employee of the State Water Board. The date of issuance is the date when the Division mails a copy of the citation, order, or decision. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day by 5:00 p.m.

Information regarding filing petitions may be found at:

http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml

If you have any questions regarding this matter, please contact Lori Hanson of my staff at (707) 576-2604.

Sincerely,



Sheri K. Miller, P.E.
Mendocino District Engineer
Division of Drinking Water
STATE WATER RESOURCES CONTROL BOARD

Enclosures

c: Lake County Environmental Health

Dunken Pumps
2615 South Main Street
Lakeport, CA 95453

1700630/Compliance4
02_03_19C_008/LSH

STATE OF CALIFORNIA
WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

Name of Public Water System: Pier 1900 Homeowner's Association

Water System No: 1700630

Attention: Terry Dolan, Board Member
1900 South Main Street, Space #13
Lakeport, CA 95453

Issued: March 27, 2019

CITATION FOR NONCOMPLIANCE WITH
CALIFORNIA HEALTH AND SAFETY CODE, SECTION 116555(a)(1) AND WITH
SECTIONS 64421 AND 64424, TITLE 22, OF THE CALIFORNIA CODE OF
REGULATIONS
BACTERIOLOGICAL MONITORING
December 2018

The California Health and Safety Code (hereinafter CHSC), Section 116650 authorizes the State Water Resources Control Board (hereinafter State Water Board), to issue a citation to a public water system when the State Water Board determines that the public water system has violated or is violating the California Safe Drinking Water Act (hereinafter California SDWA), (CHSC, Division 104, Part 12, Chapter 4, commencing with Section 116270), or any regulation, standard, permit, or order issued or adopted thereunder.

1 The State Water Board, acting by and through its Division of Drinking Water (hereinafter
2 "Division"), and the Deputy Director for the Division, hereby issues Citation No.
3 02_03_19C_008 (hereinafter Citation), pursuant to Section 116650 of the CHSC to Pier 1900
4 Homeowner's Association (hereinafter System) for violation of Section 116555(a)(1), CHSC,
5 and Sections 64421 and 64424, Title 22, of the California Code of Regulations (CCR).

7 **STATEMENT OF FACTS**

8 The Pier 1900 Homeowner's Association is classified as a community public water system,
9 serving 51 connections with a population of approximately 51. The System operates under
10 Domestic Water Supply Permit No. 02-03-16P1700630 issued on June 7, 2016.

11
12 Section 64421, Title 22, of the CCR requires each water system to develop a bacteriological
13 sampling plan and collect routine and repeat samples as required in the regulations. Section
14 64424, Title 22, of the CCR requires water systems to collect a complete repeat sample set
15 within 24 hours of being notified by the laboratory of the positive routine result.

16
17 The System collected one routine water sample on December 27, 2018. That sample tested
18 positive for total coliform bacteria and negative for *E. coli* bacteria. Four repeat samples were
19 collected six days later, on January 2, 2019, along with a raw source sample which tested
20 non-detect for any bacteria. Those samples tested negative for total coliform bacteria and
21 negative for *E. coli* bacteria. The System failed to collect repeat samples within 24 hours of
22 notification from the laboratory of the positive routine. The System

23
24 CHSC, Section 116555(a)(1) requires all public water systems to comply with primary
25 drinking water standards as defined in CHSC, Section 116275(c). Primary drinking water
26 standards include maximum levels of contaminants and the monitoring and reporting
27 requirements as specified in regulations adopted by the State Water Board that pertain to
28 maximum contaminant levels.

1 **DETERMINATIONS**

2 The Division has determined that the Pier 1900 Homeowner's Association violated Section
3 116555(a)(1), of the CHSC in December 2018 and violated Sections 64421 and 64424, Title
4 22, of the CCR in December 2018.

5 **DIRECTIVES**

6 The Pier 1900 Homeowner's Association is hereby directed to take the following actions:

- 7
- 8 1. Comply with Section 116555(a)(1), of the CHSC and with Sections 64421 and 64424,
9 Title 22, of the California Code of Regulations in all future monitoring periods.
 - 10
11 2. On or before **April 23, 2019**, notify all persons served by the System of the monitoring
12 violations, in conformance with Section 64463.4 and Section 64465, Title 22 of the
13 CCR. The Public Notification Template in Appendix 1 must be used to fulfill this
14 directive for the two methods of notification. **The System shall complete the**
15 **corrective actions section and contacts section of the template before notifying**
16 **the customers.** The System shall deliver the completed notice to all customers served
17 by the Pier 1900 Homeowner's Association water system. In addition, a second method
18 of notification must be chosen (see Appendix 2 - Compliance Certification). This
19 second method must also be completed no later than **April 23, 2019**.
 - 20
21 3. The System shall complete Appendix 2: Compliance Certification. Submit the
22 completed Appendix 2, together with **proof of the two methods** of public notification,
23 to the Division no later than **April 30, 2019**.

24
25 All documents required by this Citation shall be submitted to the Division at the following
26 address:

State Water Resources Control Board
Division of Drinking Water - Mendocino District
50 D Street, Suite 200
Santa Rosa, CA 95404

1 The State Water Board reserves the right to make such modifications to this Citation, as it
2 deems necessary to protect public health and safety. Such modifications may be issued as
3 amendments to this Citation and shall be effective upon issuance.

4
5 Nothing in this Citation relieves the System of its obligation to meet the requirements of the
6 California Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4, commencing
7 with Section 116270), or any regulation, standard, permit or order issued or adopted
8 thereunder.

9 10 **PARTIES BOUND**

11 This Citation shall apply to and be binding upon the System, its owners, shareholders,
12 officers, directors, agents, employees, contractors, successors, and assignees.

13 14 **SEVERABILITY**

15 The directives of this Citation are severable, and the System shall comply with each and
16 every provision thereof, notwithstanding the effectiveness of any provision.

1 **FURTHER ENFORCEMENT ACTION**

2 The California SDWA authorizes the State Water Board to: issue a citation or order with
3 assessment of administrative penalties to a public water system for violation or continued
4 violation of the requirements of the California SDWA or any regulation, permit, standard,
5 citation, or order issued or adopted thereunder including, but not limited to, failure to correct
6 a violation identified in a citation or compliance order. The California SDWA also authorizes
7 the State Water Board to take action to suspend or revoke a permit that has been issued to
8 a public water system if the public water system has violated applicable law or regulations or
9 has failed to comply with an order of the State Water Board, and to petition the superior court
10 to take various enforcement measures against a public water system that has failed to comply
11 with an order of the State Water Board. The State Water Board does not waive any further
12 enforcement action by issuance of this Citation.

13 

03-27-2019

14 Sheri Miller, P.E.

Date

15 Mendocino District Engineer

16 Division of Drinking Water

17 State Water Resources Control Board

18
19 Appendices (2):

- 20 1. Public Notification Template
21 2. Compliance Certification Form
22
23



24 Certified Mail No. 7016 0910 0001 2050 1287
25

26 1700630/ComplianceFile#4/02_03_19C_008_1700630_S2/LSH
27

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene informacion muy importante sobre su agua potable. Traduzcalo o hable con alguien que lo entienda bien.

The Pier 1900 Homeowner's Association Failed to Collect Bacteriological Samples Within the Required Time Period – December 2018

Our water system collected a routine water sample in December 2018 that tested positive for bacteria. We did not collect four follow up samples within 24 hours of notification. Although this is not an emergency, as our customers, you have a right to know what happened, what you should do, and what we did to correct the situation. Please share this information with other people who drink this water, especially those who may not have received this notice directly. You can do this by posting this notice in a public place or giving out copies by hand or mail.

What should I do?

You do not need to take any corrective actions at this time. This is not an emergency. If you have health concerns, you may wish to consult your doctor. General guidelines on regulated contaminants in drinking water are available from EPA's Safe Drinking Water Hotline at (800) 426-4791.

What happened?

We routinely monitor our drinking water for contaminants. We took a water sample to test our drinking water for the presence of coliform bacteria on December 27, 2018. The sample showed the presence of this bacteria. We waited six days and took four more samples on January 2, 2019. Those samples tested negative for bacteria, but we are required to collect four follow up samples within 24 hours after the laboratory notifies us of the positive result. This is a violation of the sampling regulations, as specified in Section 64424, Title 22 of the California Code of Regulations (CCR).

What does this mean?

The State Water Resources Control Board, Division of Drinking Water (Division) sets drinking water standards and has determined that the presence of total coliform bacteria is a possible health concern. Coliforms are bacteria that are naturally present in the environment and are used as an indicator that other, potentially harmful, bacteria may be present. Coliform bacteria indicate the possibility of potential contamination and may originate from human, animal, or soil sources. *E. coli* bacteria can cause illness, especially in children and the elderly. If drinking water standards are not met, drinking the water may not necessarily result in illness, but that possibility exists. Routine and follow up sampling are important to periodically verify the safety of the water. In December 2018, bacteria was found in one drinking water sample, and Pier 1900 Homeowner's Association did not conduct the follow up sampling within the time required by the regulations. This is a violation of the regulations, specifically Section 64424, Title 22 of the California Code of Regulations (CCR).

Has the problem been resolved? What corrective actions have been taken by Pier 1900 Homeowner's Association to prevent this violation from occurring in the future?

This notification of the public is being done in compliance with Sections 64463.4 and 64465, Title 22 of the CCR as a means of keeping the public informed.

Persons wishing more information should contact:

(name)

(address)

(phone number)

PUBLIC WATER SYSTEM NO. 1700630

Date: _____

APPENDIX 2 - COMPLIANCE CERTIFICATION

Citation Number: 02_03_19C_013

Name of Water System: **Larsen's Office Complex**

System Number: **1700698**

As required by Section 116450 of the California Health and Safety Code, I certify that the users of the water supplied by this water system were notified of the violation of Title 22, California Code of Regulations. In addition, I certify that the Larsen's Office Complex complied with the directives of this citation as indicated below:

Required Action	Date Completed
Public Notification – First Method (REQUIRED) <input type="checkbox"/> Complete Appendix 1, as required in Directive 2 , on page 3 of this citation. Post the notice in conspicuous locations within the area served by the water system for at least 7 days (attach photos of posted copies and give locations and dates of posting).	<div style="border: 1px solid black; height: 30px; width: 150px; margin: 0 auto;"></div>
Public Notification – Second Method <u>Choose one of the following:</u>	<div style="border: 1px solid black; height: 30px; width: 150px; margin: 0 auto;"></div>
<input type="checkbox"/> Publication in a local newspaper or newsletter (attach copy of published notice in newspaper); OR	
<input type="checkbox"/> Mail or direct delivery to those served by the water system (attach copy of notice used for delivery); OR	
<input type="checkbox"/> Post notice on the Internet or intranet for seven days (provide website address and attach printout of notice from website)	

Signature of Water System Representative

Date

**THIS FORM MUST BE COMPLETED AND RETURNED WITH ATTACHMENTS TO THE DIVISION
NO LATER THAN April 30, 2019**

Disclosure: Be advised that Section 116725 and 116730 of the California Health and Safety Code states that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the attached order may be liable for a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation for each day that violation continues. In addition, the violators may be prosecuted in criminal court and upon conviction, be punished by a fine of not more than \$25,000 for each day of violation or be imprisoned in county jail not to exceed one year, or by both the fine and imprisonment.